

Lynn Lincoln Sarko  
[lsarko@kellerrohrback.com](mailto:lsarko@kellerrohrback.com)  
Juli E. Farris, CA Bar No. 141716  
[jfarris@kellerrohrback.com](mailto:jfarris@kellerrohrback.com)  
Elizabeth A. Leland  
[bleland@kellerrohrback.com](mailto:bleland@kellerrohrback.com)  
Cari C. Laufenberg  
[claufenberg@kellerrohrback.com](mailto:claufenberg@kellerrohrback.com)  
Keller Rohrback L.L.P.  
1201 Third Avenue, Suite 3200  
Seattle, WA 98101-3052  
(206) 623-1900 (phone); (206) 623-3384 (fax)

Eric L. Zagar  
[ezagar@sbtclaw.com](mailto:ezagar@sbtclaw.com)  
Robin Winchester  
[rwinchester@sbtclaw.com](mailto:rwinchester@sbtclaw.com)  
Michael C. Wagner  
[mwagner@sbtclaw.com](mailto:mwagner@sbtclaw.com)  
Schiffrrin Barroway Topaz & Kessler, LLP  
280 King of Prussia Road  
Radnor, PA 19087  
(610) 667-7706 (phone); (610) 667-7056 (fax)

***Co-Lead Counsel***

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

\*E-FILED - 2/28/07\*

IN RE FOUNDRY NETWORKS, INC.  
DERIVATIVE LITIGATION

Master File No. C-06-05598-RMW

THIS DOCUMENT RELATES TO:

STIPULATION AND []  
ORDER CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE

All Actions

WHEREAS, the Initial Case Management Conference (the "Conference") is currently  
scheduled for 10:30 a.m. on March 2, 2007;

STIPULATION AND [] ORDER  
CONTINUING INITIAL CASE MANAGEMENT CONFERENCE  
(Cause No. 06-05598-RMW) - Page - 1

1 WHEREAS, pursuant to this Court's Order Consolidating Cases, dated December 8,  
2 2006, Plaintiffs are presently obligated to file a Consolidated Complaint within 45 days of  
3 appointment of Lead Counsel, and Nominal Defendant Foundry Networks, Inc. and all of the  
4 individual Defendants (collectively, the "Defendants") are not obligated to respond to any of the  
5 current or pre-existing complaints;

6 WHEREAS, Lead Counsel was appointed on February 12, 2007, so that, pursuant to this  
7 Court's December 8, 2006 Order (the "Order"), the Consolidated Complaint is to be filed on or  
8 before March 29, 2007 and Defendants' response is due 45 days thereafter;

9 WHEREAS, Defendants take the position that all discovery in this matter is stayed under  
10 the Private Securities Litigation Act and state law until after the Court has ruled on the  
11 Defendants' anticipated motion to dismiss the Consolidated Complaint for which briefing will be  
12 completed on or about June 8, 2007;

13 WHEREAS, in light of the current procedural posture of this matter, the parties believe  
14 that it would be premature to discuss discovery and other case management issues at this time  
15 and, therefore, the interests of judicial economy are better served by postponing the Conference  
16 until after Defendants have responded to Plaintiffs' Consolidated Complaint; and

17 WHEREAS, the parties have consulted the Court's calendar and Calendar Clerk, and  
18 understand that the Court would be available for a Conference at 10:30 a.m. on June 1, 2007;

19 IT IS THEREFORE STIPULATED AND AGREED by Plaintiffs and Defendants,  
20 through their respective counsel of record, that:

21 The Initial Case Management Conference scheduled for 10:30 a.m. on March 2, 2007  
22 shall be taken off the calendar and rescheduled for 10:30 a.m. on June 1, 2007, or at another  
23 time convenient for the Court.

1 DATED February 21, 2007.

/s/Juli E. Farris

2 Lynn Lincoln Sarko  
3 [lsarko@kellerrohrback.com](mailto:lsarko@kellerrohrback.com)  
4 Juli E. Farris, CA Bar #141716  
5 [jfarris@kellerrohrback.com](mailto:jfarris@kellerrohrback.com)  
6 Elizabeth A. Leland  
7 [bleland@kellerrohrback.com](mailto:bleland@kellerrohrback.com)  
8 Cari C. Laufenberg  
9 [claufenberg@kellerrohrback.com](mailto:claufenberg@kellerrohrback.com)  
10 Keller Rohrback L.L.P.  
11 1201 Third Avenue, Suite 3200  
12 Seattle, WA 98101-3052  
13 (206) 623-1900 (phone); (206) 623-3384 (fax)

14 Eric L. Zagar  
15 [ezagar@sbtclaw.com](mailto:ezagar@sbtclaw.com)  
16 Robin Winchester  
17 [rwinchester@sbtclaw.com](mailto:rwinchester@sbtclaw.com)  
18 Michael C. Wagner  
19 [mwagner@sbtclaw.com](mailto:mwagner@sbtclaw.com)  
20 Schiffrin Barroway Topaz & Kessler, LLP  
21 280 King of Prussia Road  
22 Radnor, PA 19087  
23 (610) 667-7706 (phone); (610) 667-7056 (fax)

***Co-Lead Counsel***

17 DATED February 21, 2007.

/s/Gerard A. Trippitelli

19 Shirli F. Weiss  
20 Gerard A. Trippitelli  
21 DLA Piper  
22 401 B Street, Suite 1700  
23 San Diego, CA 92101-4297  
24 (619) 699-2766 (phone); (619) 699-2701 (fax)

***Counsel for Defendants and Nominal Defendant***

25 I, Juli E. Farris, am the ECF user whose ID and password are being used to file this  
26 STIPULATION AND PROPOSED ORDER CONTINUING INITIAL CASE MANAGEMENT

1 CONFERENCE. In compliance with General Order 45, X.B., I hereby attest that Gerard A.  
2 Trippitelli has concurred in this filing.

3  
4 /s/Juli E. Farris  
Juli E. Farris, CA Bar No. 141716  
5 KELLER ROHRBACK L.L.P.  
6 1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
7 (206) 623-1900 (phone); (206) 623-3384 (fax)  
[jfarris@kellerrohrback.com](mailto:jfarris@kellerrohrback.com)

8  
9  
10 \* \* \*

11 **ORDER**

12 PURSUANT TO STIPULATION, the Initial Case Management Conference scheduled  
13 for 10:30 a.m. on March 2, 2007 shall be taken off the calendar and rescheduled for 10:30 a.m.  
14 on June 1, 2007.

15 IT IS SO ORDERED.

16  
17  
18 DATED: 2/28/07

*Ronald M. Whyte*  
19 THE HONORABLE RONALD M. WHYTE  
20 UNITED STATES DISTRICT JUDGE  
21  
22  
23  
24  
25  
26